

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al,)

Defendants.)

THE DEPOSITION OF ROBERT
SCHWABE, II, produced as a witness on behalf of
the Plaintiff in the above styled and numbered
cause, taken on the 12th day of June, 2007, in the
City of West Siloam Springs, County of Delaware,
State of Oklahoma, before me, Lisa A. Steinmeyer, a
Certified Shorthand Reporter, duly certified under
and by virtue of the laws of the State of Oklahoma.

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918-587-2878

EXHIBIT

31

1 in a way that is clear and you understand it. If
2 you answer a question, can I presume then you've
3 understood it?

4 A Okay.

5 Q First off, how long have you been a poultry 10:03AM
6 grower?

7 A Thirty years.

8 Q When did you first start then?

9 A January 1977.

10 Q All right, and for whom have you been a 10:03AM
11 poultry grower during that time period?

12 A Cargill.

13 Q Has that been a continuous period since 1977?

14 A Yes.

15 Q Have you had any other integrators that you've 10:03AM
16 worked with or for?

17 MS. HILL: Object to the form, the use of
18 the term worked for.

19 Q I might explain one other thing. There are
20 going to be objections and you're entitled to go 10:04AM
21 ahead and respond but they're trying to make a
22 Record. Have there been any other integrators that
23 you've grown turkeys for or poultry for?

24 A No.

25 Q And you are a turkey grower; is that correct? 10:04AM

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1 When you grow poultry, is it chickens or turkeys?

2 A It's turkeys.

3 Q Have you ever grown anything other than
4 turkeys for Cargill?

5 A No. 10:04AM

6 Q I'm going to ask you now to look at Deposition
7 Exhibit No. 1 and ask you to review that document
8 and see if you recognize it and I'll ask you some
9 questions about it.

10 A Okay. 10:04AM

11 Q There's an exhibit attached to that subpoena.
12 Have you also seen that document, three pages?

13 A Yes.

14 Q All right. Did you make a search of your
15 records to produce those things that are requested 10:05AM
16 in that exhibit?

17 A Yes.

18 Q All right, and is there anything on the
19 exhibit, the list of items that are requested, that
20 you did not find or you did not produce? 10:05AM

21 A I didn't produce my federal or state income
22 tax returns.

23 Q Okay. Is there anything else that you did not
24 produce?

25 A I produced everything I had. 10:06AM

1 correct?

2 MS. HILL: Object to form.

3 A Right.

4 Q And you're not allowed to provide any

5 veterinary services yourself to these birds;

10:57AM

6 correct?

7 A Right.

8 MS. HILL: Object to form.

9 Q Who determines when birds will be delivered?

10 A Cargill.

10:57AM

11 Q Who determines when the birds will be picked

12 up?

13 A Cargill.

14 Q Does Cargill come to your facility to inspect

15 or review the condition of its birds at any time?

10:57AM

16 A They have a field supervisor.

17 Q Is that what he does?

18 A Repeat the question.

19 Q Does he inspect the condition of the birds

20 when he comes?

10:58AM

21 A Yes.

22 Q And is he -- do you allow him to do that or

23 are you obligated to let him do that?

24 MR. WILLIAMS: Object to form.

25 A It's just --

10:58AM

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